

REMARKS

Claims 1, 6 and 9-14 are pending in this application. By this Amendment, claims 2-5 are cancelled without prejudice to or disclaimer of the subject matter contained therein, and claims 1 and 10 amended to recite features supported in the specification at page 6, lines 17-20 and Fig. 6.

Reconsideration based on the following remarks is respectfully requested.

I. Amendment Entry After Final Rejection

The foregoing amendments do not raise any new issues after Final Rejection. Therefore, entry of the amendments is proper under 37 CFR §1.116 because the amendments place the application in condition for allowance. Accordingly, Applicants respectfully request entry of this Amendment.

I. The Claims Satisfy the Requirements under 35 U.S.C. §112, First Paragraph

The Office Action rejects claims 1 and 6 under 35 U.S.C. §112, first paragraph for lack of enablement and written description. This rejection is respectfully traversed.

Claim 1 is amended to recite “a cathode disposed over the light emitting layer and separated from the hole injection/transportation layer.” Fig. 6 clearly shows a cathode 19 disposed over the light emitting layer 18 and separated from the hole injection/transportation layer 16. The specification at page 6 clearly points out “to prevent the current leakage, it is necessary, for the structure of the organic EL device, that the film formation region of the light emitting layer 18 be equal to, or greater than, the film formation region of the hole injection/transportation layer 16, as shown in Fig. 6” (page 6, lines 17-20). These reasons extend to claim 6 by dependence from claim 1.

Thus, support and enablement for claims and 6 are shown. Withdrawal of the rejection under 35 U.S.C. §112, first paragraph, is respectfully requested.

III. The Claims Define Patentable Subject Matter

The Office Action rejects claims 1, 6 and 10 under 35 U.S.C. §102(e) over U.S. Patent No. 6,384,529 to Tang *et al.* (hereinafter “Tang”); and claims 9 and 11-14 under 35 U.S.C. §103(a) over Tang in view of U.S. Patent No. 6,054,356 to Dawson *et al.* (hereinafter “Dawson”). These rejections are respectfully traversed.

Tang does not teach, disclose or suggest “a cathode disposed over the light emitting layer and separated from the hole injection/transportation layer”, as recited in claim 1, and as similarly recited in claim 10.

Instead, Tang merely discloses an electrically insulative passivation layer 42, 44 and 46 formed over a corresponding electrical addressing element (col. 5, lines 46-52 and Fig. 2 of Tang). The recited features of a bank having a laminated structure forming at least a step between the layers are not disclosed or suggested by Tang.

The Final Office Action at page 4 asserts “With regard to claim 6, Burrows *et al.* disclose the hole transportation layer and the light-emitting layer 60 are deposited between a cathode 72 and an anode 36, and where light emitted by the light-emitting layer 60 is output through the cathode 72 (col. 6, lines 14-18).” Applicants believe that the passage erroneously refers to Burrows *et al.*, but appears to be in reference to Tang. This assertion, as understood, regarding Tang is respectfully traversed.

A claim must be literally disclosed for a proper rejection under §102. This requirement is satisfied “only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” See MPEP §2131. The Final Office Action fails to satisfy this requirement regarding Applicants’ claims.

Dawson does not compensate for the deficiencies of Tang outlined above for claims 1 and 10. Nor does Dawson teach, disclose or suggest the additional features recited in claims 9 and 11-14. Instead, Dawson relates to a formation of a dielectric. In particular, Dawson

teaches the dielectric formation called spin-on glass or SOG, “of different viscosities spun on at different speeds” (col. 6, lines 11-20 and Fig. 3 of Dawson).

Further, there is no motivation to combine features related to the passivation layer over the electrical addressing element of Tang with spin-on glass of Dawson, nor has the Office Action established sufficient motivation or a *prima facie* case of obviousness. Even assuming that motivation to combine the applied references is established, the combination fails to teach or suggest Applicants’ claimed features.

A *prima facie* case of obviousness for a §103 rejection requires satisfaction of three basic criteria: there must be some suggestion or motivation either in the references or knowledge generally available to modify the references or combine reference teachings, a reasonable expectation of success, and the references must teach or suggest all the claim limitations. See MPEP §706.02(j). Applicants submit that the Final Office Action fails to satisfy these criteria with Tang and Dawson.

For at least these reasons, Applicants respectfully submit that independent claims 1 and 10 are patentable over the applied reference. The dependent claims are likewise patentable over the applied references for at least the reasons discussed as well as for the additional features they recite. Applicants respectfully request that the rejections under 35 U.S.C. §§102(e) and 103(a) be withdrawn.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 6 and 9-14 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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